



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Zoning Board of Appeals

To: Zoning Board of Appeals
From: Andrew Armstrong, ZEO
Date: June 24, 2020
Subject: **Petition #00-20-03:** Truss Manufacturing Company is requesting a Variance from Section 7.4.19.B to install a six (6) foot fence in the front yard setback at 135 Fenn Road.

Description of Petition #00-20-03:

The applicant "Truss Manufacturing Company" of 135 Fenn Road is requesting a Variance in regards to fence height within a front yard setback for a non-residential property. The applicant is proposing a six (6) foot high fence located within the front yard setback.

Section 7.4.19.B. of the Town Zoning Regulations states that fencing in non-residential areas shall not exceed four (4) feet in height in the front yard, nor eight (8) feet in height in side or rear yards. The property is zoned Industrial (I) and was recently approved by the Town Plan & Zoning Commission for site plan approval. The front yard setback in this zone is 25 feet. The applicant has requested the fence to be located 15 feet from the front property line which is within the front yard setback.

The applicant has stated the hardship in this instance is the location of the existing building and front driveway which would make it difficult to install a fence beyond the front setback. The fence would also provide security for their business.

Staff Comments:

The property at 135 Fenn Road is zoned Industrial and in order to protect materials and equipment a six-foot fence would provide adequate security. The property has a few encumbrances that affect the functionality and usable area of the site which may necessitate the placement of a fence within the front yard setback.

The entire rear portion of the property is unusable due to the severe slopes of a large rock ledge. The existing building placement and driveway in the center of the property create space near the entry that is utilized for vehicle movement in and out of the site on both sides. In addition, the site plan called for 39 parking spaces on site and 40 were provided, eleven (11) of which are located on the right-side entry (North). The location of these parking spaces require the fence be placed further back, limiting the space available for storage and parking. Finally, the building additions and outdoor storage areas restrict where the fence could be located. Collectively, these conditions

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severely restrict the area and functionality on the site and restrict the fence placement behind the front yard setback.

The question for the ZBA is if these restrictions truly necessitate the fence be located within the front yard setback. While ZBA's frequently approve Variances even when the statutory definition of a hardship has not been met, no harm would be done to neighbors by granting this fence Variance.

cc:

Truss Manufacturing Company